IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

Bail Appl..No. 1620 of 2007()

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CRIME NO. 85/07 OF CHAVARA THEKKUMBHAGOM POLICE STATION

PETITIONERS/ACCUSED 1 TO 3

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1. R.JOSE STEPHAN JACOB, AGED 33,
S/O. THOMAS JACOB, RESIDING AT STEPHAN VILLA,
CHAVARA SOUTH, PALLIKODI, THEKKUMBHAGAM,
KOLLAM.

2. THOMAS JACOB, AGED 70 YEARS,
EX.SERVICEMAN, S/O. LODHIBIC JACOB, RESIDING AT
STEPHAN VILLA, CHAVARA SOUTH, PALLIKODI,
THEKKUMBHAGOM, KOLLAM.

3. KARMEL JACOB, AGED 67 YEARS,
RETIRED DEPUT TAHSILDAR, W/O. THOMAS JACOB,
RESIDING AT STEPHAN VILLA, CHAVARA SOUTH,
PALLIKODI, THEKKUMBHAGOM, KOLLAM.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:

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THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
AT ERNAKULAM, THROUGH THE SUB INSPECTOR OF POLICE,
CHAVARA, THEKKUMBHAGOM POLICE STATION,
KOLLAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**Bail Application NO. 1620 of 2007**

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**DATED: 16-3-2007**

**O R D E R**

In this Petition filed under Sec. 438 Cr.P.C. the petitioners who are accused Nos. 1 to 3 in Crime No.85/07 of Chavara Thekkumbhagom Police Station for an offence punishable under Sec.498 A read with Sec. 34 I.P.C., seek anticipatory bail. Marriage between the de facto complainant and the petitioner was on 29-4-2001.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties

each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

**V.RAMKUMAR,**

**JUDGE.**

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